



Entered on Docket
December 14, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegler", is written over a horizontal line.

Hon. Linda B. Riegler
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
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Wells Fargo Bank, N.A.
10-72868

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Betty R. Herold

Debtor.

BK-S-09-21423-lbr

MS Motion No. 143
Date: December 1, 2010
Time: 1:30 PM

Chapter 11

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

11 Monthly Payments at \$3,207.32 (July 1, 2009 - May 1, 2010)	\$35,280.52
6 Monthly Payments at \$3,110.38 (June 1, 2010 - November 1, 2010)	\$18,662.28
Property Inspections	\$15.00
Corporate Advance	\$3,337.46
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$650.00
Accrued Late Fees	\$3,065.40
Total	\$61,160.66

The total arrearage shall be paid in six monthly installments. Payments one through five (1-5) in the amount of \$10,193.45 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the December 20, 2010 payment and continuing throughout and concluding on or before April 20, 2011. The sixth final payment in the amount of \$10,193.41 shall be paid on or before May 20, 2011.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtor at least fourteen business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the December 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 10567 Angelo Tenero Avenue , Las Vegas, NV 89135, and legally described as follows:

Parcel One (1):

Lot 44 in Block 43 of Merger and Re-Subdivision of Lot G2, Block 11 of "Sun Colony at Summerlin" (Book 89, Page 78), together with Lots 10 through 22, Lots 24 through 26, Lots 28 through 31, and Lot 34, Block 9; Lot 23, Lot 24, Lots 26 through 32, Lots 35 through 47, Lots 49 through 51 , Lots 53 through 55, and Lots 57 through 61 , Block 7 of "Sun Colony at Summerlin - Unit 1A", (Book 90, Page 26), as shown by map thereof on file in Book 97 of Plats, Page 94 and Amended by Certificate of Amendment recorded January 23, 2001, in Book 20010123 as Document no. 01225, in the Office of the County Recorder of Clark County, Nevada. Reserving therefrom a non-exclusive easement of use, access and enjoyment in and to the Common Elements as set forth in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Siena Community Association recorded November 19, 1999 in Book 991119 as Instrument No. 03039, as the may from time to time be amended and/or supplemented in the Office of the County Recorder, Clark County, Nevada.

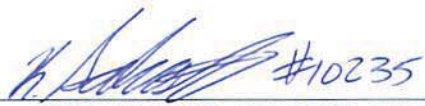
Parcel Two (2):

A non-exclusive easement of use, access and enjoyment in and to the common elements as set forth in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Siena Community Association recorded November 19, 1999 in Book 991119 as Instrument No. 03039, as the same may from time to time be amended and/or supplemented in the Office of the County Recorder, Clark County, Nevada, which easement is appurtenant to Parcel One (1).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By  #10235
GREGORY L. WILDE, ESQ.
 Attorneys for Secured Creditor
 212 South Jones Boulevard
 Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

U.S. Trustee - LV - 11

By _____

U.S. Trustee - LV - 11
 Chapter 13 Trustee
 300 Las Vegas Boulevard S.
 Las Vegas, NV 89101

Robert Spear

By 

Robert Spear
 Attorney for Debtors
 7456 W. Sahara Ave. Suite 101
 Las Vegas, NV 89117

Nevada Bar No. 8672

1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
3 reflects the court's ruling and that (check one):

4 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

5 ☐ No party appeared at the hearing or filed an objection to the motion.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☒ waived the right to review the order and/or ☐ failed to respond to the document

17
18
19 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
20 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
21 order.

22 I declare under penalty and perjury that the foregoing is true and correct.

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor